

REMARKS

In the above-mentioned Office Action, all of the pending claims, claims 1-5, were rejected. The claims were rejected under Section 103(a) over the combination of Kim and Thornberg.

The examiner acknowledged that Kim fails to disclose issuance of a measurement control pause command, the stopping of taking of measurements and maintaining measurement settings initialized previously upon receipt all the measurement control pause command; monitoring for a change in state of the UE, and, in response to a change in state, issuance of a measurement control resume command; and resuming taking measurements with the maintained measurement settings on receipt of a measurement control resume command. But, the examiner relies upon Thornberg for disclosing these operations that Kim fails to disclose. And, the examiner further relies upon column 15, lines 4-30 and column 15, line 45-column 16, line 60 of Thornberg for showing an RRC layer sending a measurement control pause command to layer 1 and of sending a measurement control resume command to layer 1.

Responsive to the rejection of the claims, independent claims 1 and 3 have been amended, as set forth herein, in manners believed better to distinguish the invention of the present application over the cited combination of references.

Generally, claim 1 has been amended, now to include the recitations of claim 2, and claim 2 is now canceled. And, claim 3 has been amended to include the recitations of claim 4, and claim 4 is now canceled.

The applicants believe the independent claims as now-recited to be patentably distinguishable over the cited combination of references.

With respect to claim 1, the operation of receiving the measurement control set-up command is amended, now to recite that the command is received at a radio resource control (RRC) layer. The operation of monitoring has been amended, now to recite that, in response to a change in state, the RRC layer issues a measurement control pause command to layer 1. The operation of stopping taking measurements is amended, now to recite that the layer 1

stops taking measurements on receipt of a measurement control pause command by layer 1. The operations of monitoring and issuing a measurement control resume command is amended, now to recite that the RRC layer issues the measurement control resume command to layer 1. And, the operation of resuming taking measurements is amended, now to recite that the layer 1 resumes taking measurements on receipt of a measurement control resume command by layer 1. Claim 3 has been analogously amended.

Thornberg discloses different operation. Namely, Thornberg does not appear to be directed to measurement controls, nor to signaling between layer 3, the RRC layer, and layer 1, the physical layer. Thornberg appears merely to relate to traffic control. And, columns 15-16, relied upon the examiner in the rejection, relates to management of traffic by elimination of packets. Thornberg simply fails to relate to measurement control messages sent between layers 3 and 1, all as now recited in claims 1 and 3.

There is no teaching in either Kim, as acknowledged by the examiner, nor in Thornberg of the sending of a pause command from layer 3, the RRC layer, to layer 1, the physical layer, and, in response, at layer 1 to stop taking measurements but to maintain measurement settings as previously initialized. There further is no teaching in either of the references of sending a resume command from layer 3, the RRC layer, to layer 1, the physical layer, and, in response, at layer 1 to resume taking measurements with the maintained measurement settings. As neither of the references disclose such operation, no combination of the references can be created to form the invention as now-recited.

The remaining dependent claim includes all of the limitations of its parent claim and is believed to be patentably distinguishable over the cited combination of references for the same reasons as those given with respect to its parent claim.

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According, in light of the foregoing, independent claims 1 and 3, as now amended, and dependent claim 5 are believed to be in condition for allowance. Reexamination and reconsideration of the claims, as now-presented, is respectfully requested. Such early action is earnestly solicited.

Respectfully submitted,

/Robert H. Kelly/

Robert H. Kelly
Registration No. 33,922

SCHEEF & STONE, L.L.P.
5956 Sherry Lane, Suite 1400
Dallas, Texas 75225
Telephone: (214) 706-4201
Fax: (214) 706-4242
robert.kelly@scheefandstone.com